

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

STANDARD FIRE INSURANCE COMPANY,)
Plaintiff)
)
v.) CIVIL ACTION NO. 04-12244GAO
) CONSOLIDATED
CROSBY YACHT YARD, INC. AND)
OYSTER HARBORS MARINE, INC.,)
Defendants)

PLAINTIFF, STANDARD FIRE INSURANCE COMPANY'S MOTION TO COMPEL
ANSWERS TO INTERROGATORIES and RESPONSE TO REQUEST FOR PRODUCTION
OF DOCUMENTS FROM DEFENDANT, CROSBY YACHT YARD, INC.

NOW COMES the Plaintiff, Standard Fire Insurance Company ("Standard Insurance"), in the above captioned Matter and by and through its attorneys moves this Honorable Court pursuant to Fed.R.Civ.P. Rule 37 to compel the Defendant, Crosby Yacht Yard, Inc. ("Crosby"), to Answer Interrogatories and produce documents. The Interrogatories and Request for Production of Documents were served upon Crosby over one hundred days ago on about March 2, 2006.

In support hereof Standard Insurance states as follows:

1. Standard Insurance propounded Interrogatories pursuant to Rules 26 and 33 upon the Defendant, Crosby on or about March 2, 2006. (see **Exhibit "A"** attached herewith)
2. Standard Insurance propounded Request for Production of Documents pursuant to Rules 26 and 34 upon the Defendant, Crosby on or about March 2, 2006.
(Exhibit "A")
3. Standard Insurance propounded Requests for Admissions pursuant to Rules 26

and 36 upon the Defendant, Crosby on or about March 2, 2006. (**Exhibit "A"**)

4. The requested information is discoverable pursuant to Rules 26, 33, 34 and 36 of the Federal Rules of Civil Procedure.
5. The requested information is relevant to the instant Action and is not protected by any privilege.
6. Over One Hundred (100) days have elapsed since the discovery requests were served upon the Defendant, Crosby and, to date, no Answers, Responses or Objections have been received.
7. On June 16, 2006 Attorney John D. Blaisdell left a telephone message with counsel for the Defendant, Crosby, regarding their overdue discovery in an attempt to resolve same. (please see Affidavit of Attorney John D. Blaisdell attached hereto as **Exhibit "B"**)
8. On June 16, 2006 a letter (via facsimile and First Class Mail) was sent to counsel for Defendant, Crosby requesting a conference regarding Crosby's overdue and outstanding discovery. (please see copy of 6/16/06 letter attached hereto as **Exhibit "C"**)
9. Ten days have passed since the June 16, 2006 telephone message and letter and no return call or return correspondence has been received by the Plaintiff, Standard Insurance.

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WHEREFORE, the Plaintiff, Standard Insurance MOVES this Honorable Court to grant its Motion to Compel Answers to Interrogatories and Production of Documents and ORDER the Defendant, Crosby to provide proper Answers and Responses to same within ten (10) days of the allowance of this Motion.

For the plaintiff,
STANDARD FIRE INSURANCE COMPANY
By its attorneys,

REGAN & KIELY LLP

/s/ John D. Blaisdell

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